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Security Council

Sixty-fifth year

Provisional

6325th meeting

Monday, 31 May 2010, 1.55 p.m.

New York

President:	Mr. Salam/Ms. Ziade	(Lebanon)
Members:	Austria	Mr. Mayr-Harting
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Yang Tao
	France	Mr. Araud
	Gabon	Mr. Issoze-Ngondet
	Japan	Mr. Takasu
	Mexico	Mr. Heller
	Nigeria	Mrs. Ogwu
	Russian Federation	Mr. Pankin
	Turkey	Mr. Davutoğlu
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mr. Wolff

Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 31 May 2010 from the Permanent Representative of Turkey to the President of the Security Council (S/2010/266)

Letter dated 31 May 2010 from the Permanent Representative of Lebanon to the President of the Security Council (S/2010/267)

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The meeting was called to order at 1.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

Letter dated 31 May 2010 from the Permanent Representative of Turkey to the President of the Security Council (S/2010/266)

Letter dated 31 May 2010 from the Permanent Representative of Lebanon to the President of the Security Council (S/2010/267)

The President (*spoke in Arabic*): I should like to inform the Council that I have received a letter from the representative of Israel, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Carmon (Israel) took at seat at the Council table.

The President (*spoke in Arabic*): I should like to inform the Council that I have received a letter dated 31 May 2010 from the Permanent Observer of Palestine to the United Nations, which reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the emergency meeting of the Security Council which will be held on Monday, 31 May 2010, regarding the Israeli aggression against the Gaza aid flotilla on 31 May 2010."

This letter will be issued as a document of the Security Council under the symbol S/2010/268.

With the consent of the Council, I propose to invite the Permanent Observer of Palestine to participate in the meeting in accordance with the rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mansour (Palestine) took a seat at the Council table.

The President (*spoke in Arabic*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Oscar Fernandez-Taranco, Assistant Secretary-General for Political Affairs.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with rule 2 of its provisional rules of procedure in response to a letter dated 31 May 2010 from the Permanent Representative of Turkey to the United Nations, and to a letter also dated 31 May 2010 from the Permanent Representative of Lebanon addressed to the President of the Security Council, to be issued respectively as documents S/2010/266 and S/2010/267.

I wish to recognize the presence at this meeting of the Deputy Secretary-General, Ms. Asha-Rose Migiro.

At this meeting the Security Council will hear a briefing by Mr. Oscar Fernandez-Taranco, to whom I now give the floor.

Mr. Fernandez-Taranco: In the early hours of this morning, Israeli naval forces boarded a six-ship convoy that was heading towards Gaza. The stated purpose of the convoy was to deliver humanitarian aid to Gaza and to break the Israeli blockade on Gaza. The convoy was reportedly carrying a range of educational, medical and construction materials and approximately 700 activists, citizens of a number of countries. Among their numbers were reportedly members of Parliament from several countries.

In the lead-up to today's events, the Israeli authorities conveyed their intention, both publicly and through diplomatic channels, not to allow the convoy to reach Gaza. The Israeli authorities stated that, should the convoy proceed contrary to these warnings, they would divert the convoy to an Israeli port, inspect the cargo, facilitate the entry of only those goods that are allowed into Gaza, in accordance with Israel's blockade, and deport those on board.

The organizers of the convoy indicated their intention to proceed with their convoy and to attempt to deliver their full consignment of cargo to Gaza and to break the blockade. A committee of persons organized by the de facto Hamas authorities in Gaza was formed to receive the convoy.

Several Governments with nationals on board the vessels urged restraint on all sides and indicated to the Israeli authorities their utmost concern that their nationals be protected. The Secretary-General's spokesman warned on Friday that all involved should act with a sense of care and responsibility and work for a satisfactory resolution.

The convoy was due to reach Gaza today. According to the Israeli authorities, Israel's naval forces conveyed directly to the convoy during the early hours this morning that it would not be allowed to reach port in Gaza. However, the convoy proceeded towards Gaza.

At approximately 4 a.m. local time, the Israeli navy acted to intercept the convoy. This reportedly took place 14 nautical miles off the coast in international waters and involved Israeli military personnel boarding the vessels, supported by naval ships and helicopters. Israeli forces took control of all six vessels. However, there was serious violence on the main passenger vessel, a Turkish-registered ship named Mavi Marmara. We have also seen media reports of violence related to a Greek-registered ship, the Sfendoni. As a result of this violence, according to the latest information, at least 10 people were killed and at least 30 injured, while at least six Israeli military personnel were injured. There are no final confirmed casualty figures at this stage.

Given the circumstances, it is not possible to state definitively the sequence or details of what happened. The Israeli Government has stated that the demonstrators on board used knives and clubs against Israel Defense Forces (IDF) naval personnel and possibly live fire, and that a weapon was grabbed from an IDF soldier. Given that those who were on board the ships are now in Israeli custody, including reporters who were travelling with the convoy, and had their transmission equipment confiscated by the boarding Israeli forces, further information from the organizers of the convoy has been minimal since this morning. We have no independent information on what transpired.

According to Israeli statements, the seriously injured were subsequently evacuated by helicopter to hospitals in Israel. All of the ships have arrived under escort at the Israeli port of Ashdod. An Israeli Ministry of Foreign Affairs spokesman has stated that all international persons from the vessels will be deported.

Israeli authorities have expressed regret about the casualties but blamed the activists for the violence. President Abbas has condemned Israel's actions and the killing of the activists, and declared three days of mourning in the occupied Palestinian territory. There have been widespread regional and international expressions of alarm and concern at the bloodshed, as well as diplomatic demarches seeking a full explanation from the Israeli authorities. There have been protests in Gaza, the West Bank, Israel and several regional capitals.

The Secretary-General stated earlier today in Kampala that he is shocked by the killing and injury of people on the boats and condemned the violence. He called for a full investigation to determine exactly how the bloodshed took place and stressed that Israel must urgently provide a full explanation.

At the Secretary-General's direction, Special Coordinator Robert Serry, along with Filippo Grandi, the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, have been actively engaged on the ground since the crisis broke to urge restraint and an end to the violence, and to coordinate with all relevant parties in the aftermath of this tragedy.

In conclusion, we underscore the importance of a full investigation into this incident, as called for by the Secretary-General. It is also imperative that Israel provide access to the detainees in accordance with relevant international legal standards. And more broadly, we stress the importance of all parties strictly adhering to the framework of international law, including international humanitarian law and the law of the sea. We also stress that these developments come at a time when all efforts should be focused on the need to build trust, advance Israeli-Palestinian negotiations and nurture regional cooperation in support of peace. It is vital that the proximity talks continue.

Finally, we wish to point out that today's bloodshed would have been avoided if repeated calls on Israel to end the counterproductive and unacceptable blockade of Gaza had been heeded. We

stress the scale of the unmet needs of Gaza's civilian population and reiterate that the blockade is unacceptable and counterproductive and must end. Special Coordinator Serry briefed the Council in detail on 18 May on the serious humanitarian, human rights and socio-economic conditions facing the civilian population in Gaza, and made clear the range of interventions — from water and sanitation to education, health and the commercial sector — that are urgent to meeting needs. The only way forward for Gaza is a different and more positive strategy that implements resolution 1860 (2009). It is now more vital than ever that this be put into effect.

The President (*spoke in Arabic*): I thank Mr. Fernandez-Taranco for his briefing.

I now give the floor to the members of the Security Council. I take this opportunity to welcome Mr. Ahmet Davutoğlu, Minister for Foreign Affairs of Turkey.

Mr. Davutoğlu (Turkey): I appear before the Council today as a result of a very sad and tragic occasion on which one State Member of this house has committed a serious crime in total disregard of all the values we have vowed to uphold since the establishment of the United Nations system.

I am distraught by the fact that the Israeli Defense Forces stormed a multinational civilian endeavour carrying humanitarian aid to Gaza in international waters — 72 nautical miles off the coast, to be exact — killing and wounding many civilians. This action was uncalled for. The Israeli actions constitute a grave breach of international law. In the simplest terms, it is tantamount to banditry and piracy. It is murder conducted by a State. It has no excuses or justification whatsoever. A nation-State that follows this path has lost its legitimacy as a respectful member of the international community.

The multinational civilian flotilla, composed of a few ships and a total of around 600 people from 32 countries carrying humanitarian aid to impoverished Gaza, was unlawfully ambushed early today. The sole aim of this civilian mission was to provide much-needed relief to the children of occupied Gaza, who have been under illegal and inhumane Israeli blockade for years. The ships were hardly a threat to the State of Israel or any other State, for that matter.

Humanitarian aid was on its way to children who have been stripped of their opportunities to live as children and enjoy all the basic amenities that all of our children take for granted. These children do not know where their next meal is coming from. They either have no shelter or live in extremely deprived conditions. They receive no education. They have no future in which they can contribute to a peaceful and stable Palestine and the wider region.

The ships carried amenities and facilities — such as playgrounds — that would remind the children of their childhoods. They carried very basic goods, such as cancer medication and milk powder to enhance child growth and health in the absence of milk proper.

The international community has been witness to this humanitarian tragedy for years, failing to act. Today, this is where we are. Today, we have observed through live coverage an act of barbarism where the provision of humanitarian aid has been punished through aggression on the high seas, 72 miles from international seas. Today, many humanitarian aid workers are returning in body bags. Israel has blood on its hands.

This is not off the coast of Somalia or in the archipelagos of the Far East, where piracy is still a phenomenon. This is the Mediterranean, where such acts are not the norm. This is where we need common sense. This is where civilization emerged and flourished, and where the Abrahamic religions took root. Those are religions that preach peace and teach us to extend our hand when others are in need.

The use of force was not only inappropriate, but also disproportionate. International law dictates that, even in war time, civilians are not to be attacked or harmed. The doctrine of self-defence does not in any way justify the actions taken by Israeli forces. High-seas freedoms constitute one of the most basic rights under the international law of the sea, including customary international law. The freedom of navigation is one of the oldest forms of international norms, dating back centuries. No vessel can be stopped or boarded without the consent of the captain or the flag State. The law permitting such action in exceptional cases in clearly stated. Furthermore, any suspected violation of law on the part of a vessel and its crew on the high seas does not absolve the intervening State of its duties and responsibilities under applicable international law. To take humanitarian aid delivery as

a hostile act and to treat aid workers as combatants is a reflection of a dangerous state of mind, with detrimental effects to regional and global peace. Therefore, the Israeli actions cannot be deemed legal or legitimate. Any attempt to legitimize the attack is futile.

This unacceptable action was perpetrated by those who in the past had taken advantage of ships carrying refugees and those escaping one of the worst tragedies of the past century. They should be more aware than most of the importance of humanitarian assistance and of the dangers and inhumanity of ghettos such as the one we currently see in occupied Gaza. I am proud to represent a nation that has in the past helped those in need and escaping extermination.

After the act of aggression, I have heard official statements claiming that civilians on the ship were members of a radical Islamist group.

Sir Mark Lyall Grant (United Kingdom): The international community must meet its responsibilities as well. The United Kingdom continues to work to alleviate suffering in Gaza. We call on all concerned to continue to assist with humanitarian and reconstruction aid and economic development.

The events also highlight the need to find a comprehensive and lasting solution to the Arab-Israeli conflict. It is essential that proximity talks progress and that the parties enter direct negotiations as soon as possible.

We may be entering another period of anger and instability in the region. We urge all sides to act with transparency and restraint to make sure that this incident leads to no further violence and no further deterioration of the situation in Gaza.

We call on the Israeli authorities first to provide a full, timely and transparent account of the incident that led to the loss of life and the subsequent actions taken, including what measures are in hand to ensure an impartial and comprehensive investigation and to ensure that there is no further such loss of life. Secondly, they should provide full information and immediate consular access to all embassies whose nationals are involved in that incident. Thirdly, Israeli authorities should open the crossings to allow unfettered access for aid to Gaza and to address the serious concerns both about the deterioration in the humanitarian and economic situation and about the effect on a generation of young Palestinians. Israel must allow the unimpeded flow of humanitarian aid, commercial goods and persons to and from Gaza, consistent with resolution 1860 (2009).

Finally, we also urge Hamas and all parties to comply with the call in resolution 1860 (2009) for renewed and urgent efforts to achieve a comprehensive peace based on the vision of a region where two democratic States, Israel and Palestine, live side by side in peace, with secure and recognized borders.

Mr. Heller (Mexico) (*spoke in Spanish*): We welcome the presence of the Minister for Foreign Affairs of Turkey and appreciate the briefing that Mr. Fernandez-Taranco presented to us.

We are dismayed and surprised by the grave events that took place along the coasts of the Mediterranean off the Gaza Strip today. We condemn in the strongest terms the armed attack carried out by the armed forces of Israel in international waters against the flotilla of civilian boats seeking to carry humanitarian aid to the inhabitants of the Gaza Strip. We also deplore the loss of human lives and the persons wounded as a result of the attack. We extend our condolences and solidarity to the relatives of the victims and the wounded in those tragic events.

Attacks in armed conflict situations directed specifically against civilians and other persons or goods subject to protection — in this case, humanitarian assistance personnel — and the restrictions on access to humanitarian assistance, are serious violations of the norms and principles of international humanitarian law, in accordance with the Geneva Conventions of 1949 and their Additional Protocols of 1979. They also constitute international crimes. We also believe that actions of that type, which are contrary to international law, arbitrarily limit the right to the freedom of legitimate navigation.

For all those reasons, the Government of Mexico requests a broad investigation of those facts and that measures to alleviate the regional situation be taken as soon as possible so as to renew the peace process in the Middle East.

Such regrettable facts confirm that the blockade on Gaza not only deeply affects the civilian population in Gaza but also is counterproductive for Israel, causing grave incidents like that of today, which could well have been avoided. Therefore we once again urge

the Government of Israel to lift the blockade against the Gaza Strip so as to allow access of humanitarian aid to the population, whose situation has been grounds for great concern to the international community since the end of the conflict in that territory in January 2009.

We also reiterate the importance of full compliance with the provisions of resolution 1860 (2009) and underscore once more the significance of establishing an international ceasefire monitoring mechanism that allows the passage of humanitarian supplies and materials necessary for the reconstruction of the Gaza Strip and puts an end to illicit arms trafficking to that region.

In the current difficult conditions, we call on the parties involved to refrain from any action that could provoke an escalation in violence. We also call for the renewal of the dialogue between Israel and the Palestinian Authority, which is the only way to attain lasting peace in the region.

Such acts should not interrupt the process of proximity talks under way, the urgency of which has been shown today. The opposite would serve to inflame to most extremist sectors, enemies of peace in the region, which in the end would prevent the coexistence of two States there — Israel and Palestine — within secure and recognized borders.

Mrs. Viotti (Brazil): I would like to extend a warm welcome to the Minister for Foreign Affairs of Turkey, His Excellency Mr. Ahmet Davutoğlu. I also thank Assistant Secretary-General for Political Affairs, Mr. Oscar Fernandez-Taranco, for his briefing.

It was with shock and consternation that Brazil learned of the attack by Israel early today, reportedly in international waters, on vessels carrying humanitarian supplies to Gaza, which resulted in the tragic loss of more than ten civilians and tens of injuries. The Brazilian Government vehemently condemns the attacks. There can be no justification for a military operation against a humanitarian convoy. The gravity of the incident is compounded by the fact that the attack reportedly took place in international waters.

Brazil expresses its deep condolences to the families of those who have been killed. We are particularly concerned by unconfirmed reports that a Brazilian national is or may have been on board one of the ships. The Ambassador of Israel to Brazil has been summoned to the Ministry of External Relations to be informed of Brazil's indignation at the incident and of our concern about the Brazilian citizen. Brazil believes that the incident must be fully clarified in the light of international law and international humanitarian law through an independent investigation.

The tragic results of this deplorable incident show yet again the need for the blockade of Gaza to be immediately lifted. The blockade is a blatant violation of international law. Resolution 1860 (2009) called for the unimpeded provision and distribution throughout Gaza of humanitarian assistance, including food, fuel and medical treatment. However, despite repeated and virtually universal calls from the international community, including from my own Government, Israel has systematically refused to lift it. The blockade also violates the basic rights of approximately 1.5 million people. Palestinians are still forced to live in entirely unacceptable conditions almost a year and a half after the end of operation Cast Lead.

We join the whole of the international community in strongly urging Israel to immediately suspend the unlawful blockade of Gaza and take the necessary steps towards full implementation of resolution 1860 (2009). Continued violations of international law will only increase the human and political costs of an unjustifiable policy.

Mr. Mayr-Harting (Austria): Thank you, Sir, for having convened this meeting so rapidly. I should like to welcome the presence of the Minister for Foreign Affairs of Turkey, Mr. Ahmet Davutoğlu. I should also like to thank the Deputy Secretary-General for her presence here today and Assistant Secretary-General Fernandez-Taranco for his briefing on the Israeli military operation against the flotilla sailing to Gaza.

Austria is deeply shocked at the loss of lives and casualties and wishes to express her condolences to the families of the victims. We are very disturbed about this dramatic escalation and condemn the use of violence that has lead to a high number of victims.

Austrian Foreign Minister Michael Spindelegger has called for a rapid, full and independent investigation of this operation, which occurred in international waters. We have also formally communicated this position to the Ambassador of Israel in Austria. Moreover, we call on the Israeli authorities to urgently provide concerned States with consular access to and information about their citizens detained in Israel.

The lack of full compliance with Security Council resolution 1860 (2009) is at the core of the deplorable events of last night. The humanitarian situation in Gaza remains a source of utmost concern.

Austria has consistently acknowledged Israel's right to protect her citizens against indiscriminate attacks emanating from Gaza. We repeat our call for an immediate end to such attacks. At the same time, we do not believe that such concerns can in any way justify what has happened today.

We regard the ongoing blockade as totally unacceptable and counterproductive; it only benefits spoilers and advocates of violence. We reiterate our call for an immediate, sustained and unconditional opening of all crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza.

We urge Israel to take all immediate and credible steps to avoid any recurrence of such violent incidents in the future and to act in full accordance with her obligations under international law and international humanitarian law. We call on all sides to exercise utmost restraint and refrain from any action that could prolong or even worsen the plight of the civilian population of Gaza.

Mr. Takasu (Japan): I should like to welcome the presence of the Minister for Foreign Affairs of Turkey at this very tragic meeting. We also thank the Deputy Secretary-General for her presence and the Assistant Secretary-General Fernandez-Taranco for his briefing.

The Japanese Government is shocked to learn what took place aboard the maritime convoy carrying supplies to the Gaza Strip. On a number of occasions, including through resolution 1860 (2009), the Security Council has called on Member States to support efforts to alleviate the humanitarian situation in Gaza. It has repeatedly called for unimpeded access for humanitarian aid to Gaza. Japan condemns the violent acts of hostility that caused this tragic incident involving the humanitarian convoy, when the humanitarian situation in Gaza has not improved at all for a year and a half.

Japan deeply deplores the casualties and the injuring of so many innocent people. We express our deepest condolences to the families of victims, and we believe that full investigation needs to be carried out urgently. Japan urges parties to act with restraint and to refrain from taking any further action that might create a cycle of violence.

Mrs. Ogwu (Nigeria): I thank you, Sir, for having convened today's meeting. We wish to welcome the Minister for Foreign Affairs of Turkey. We acknowledge the presence of the Deputy Secretary-General, and we thank Assistant Secretary-General Oscar Fernandez-Taranco for his very lucid briefing.

The Nigerian delegation is dismayed by this morning's assault on a Gaza-bound aid flotilla, which resulted in several deaths and injuries. We extend our sympathies to the families of the dead and wounded. This incident is not only unfortunate but regrettable, as it has come at a critical time when two rounds of proximity talks have already taken place between Israel and Palestine. All well-meaning people were hopeful that the two parties would work assiduously for the resumption of direct negotiations.

The maximum use of force to intercept an international humanitarian convoy is not only unnecessary but, more significantly, has created a new situation that could unleash fresh unrest with grave consequences for peace in the Middle East. We therefore call for maximum restraint and urge all parties to recommit to their roadmap obligations. Even in the face of such provocation, we must not relent in our efforts to tread the path of dialogue and long-term political reconciliation. We call for an urgent and full inquiry into this unjustified violence. Those responsible must be compelled to account for their actions.

We remain concerned about the deplorable humanitarian conditions in Gaza. The restrictions and blockade on Gaza must be lifted to alleviate the suffering of innocent people.

It is important that security be guaranteed to all nations and all peoples in the Middle East. The Council should be united in the message it sends out whenever there is a clear threat to peace and security. In this regard, we support the draft presidential statement.

Mr. Wolff (United States of America): I wish to thank Assistant Secretary-General Fernandez-Taranco for his briefing.

The United States is deeply disturbed by the recent violence and regrets the tragic loss of life and injury suffered among those involved in the incident last night aboard the Gaza-bound ships. We are

working to ascertain the facts. We expect a credible and transparent investigation and strongly urge the Israeli Government to investigate the incident fully.

As I stated in the Council Chamber in December 2008 when we were confronted with a similar situation (see S/PV.6030), mechanisms exist for the transfer of humanitarian assistance to Gaza by Member States and groups that want to do so. These non-provocative and non-confrontational mechanisms should be the ones used for the benefit of all those in Gaza. Direct delivery by sea is neither appropriate nor responsible and is certainly not effective under the circumstances.

The United States remains deeply concerned by the suffering of civilians in Gaza and the deterioration of the situation there, including the humanitarian and human rights situation. We continue to believe the situation is unsustainable and is not in the interests of any of those concerned. We will continue to engage the Israelis on a daily basis to expand the scope and type of goods allowed into Gaza to address the full range of the population's humanitarian and recovery needs.

Hamas' interference with international assistance shipments and the work of non-governmental organizations (NGOs) complicates efforts in Gaza. Its continued arms smuggling and commitment to terrorism undermine security and prosperity for Palestinians and Israelis alike.

We will continue to work closely with the Government of Israel and the Palestinian Authority, along with international NGOs and the United Nations, to provide adequate access for humanitarian goods, including reconstruction materials, through the border crossings, while bearing in mind the legitimate security concerns of the Government of Israel.

Ultimately, this incident underscores the need to move ahead quickly with negotiations that can lead to a comprehensive peace in the region. The only viable solution to the Israeli-Palestinian conflict is an agreement negotiated between the parties that ends the occupation that began in 1967 and fulfils the aspirations of both parties for independent homelands through two States for two peoples — Israel and an independent, contiguous and viable State of Palestine, living side by side in peace and security. We call again on our international partners, both inside and outside this Council, to promote an atmosphere of cooperation between the parties and throughout the entire region.

Mr. Pankin (Russian Federation) (*spoke in Russian*): We welcome the statement to the Council by the Minister for Foreign Affairs of Turkey, as well as the briefing on the situation by Mr. Oscar Fernandez-Taranco.

We express our condolences and deep regret about all those who have died as a result of this incident. In Moscow we are expressing our condemnation and deepest concern regarding the incident in international waters, especially because so many people died and have been wounded, people participating in a humanitarian convoy.

We need clarification of all factors in what happened. It is obvious that the use of weapons against civilians and stopping ships on the high seas without justification is a gross violation of the norms of international law. At the same time, we look at what happened as confirmation of the need for a prompt cessation of Israel's blockade in Gaza and for implementation of realistic steps to ensure that the humanitarian and social situation will go forward for all people in the sector.

We are very concerned about the fact that this incident happened at a time when there were the prerequisites for moving forward in the Palestinian-Israeli settlement. We hope that the tension that has arisen will not have a long-term negative impact on the prospects for this process.

Mr. Mugoya (Uganda): We welcome and thank the Foreign Minister of Turkey for his informative statement. We also welcome the presence of the Deputy Secretary-General and thank Assistant Secretary-General Fernandez-Taranco for his briefing.

It was with shock that we received the reports of the Israeli attack on the humanitarian flotilla travelling to Gaza in international waters this morning. Uganda condemns the attack on the humanitarian convoy, which resulted to loss of life and injuries, and we express our condolences to the bereaved families. While we do not have the full facts and will await full details, we do support the call by the Secretary-General for a full investigation into this matter.

We are concerned by the grave humanitarian situation caused by the continued blockade imposed against the people of Gaza. This incident serves only to exacerbate the political stalemate arising from a lack of substantive progress in the Middle East peace process.

It is also a reminder, and we reiterate our call on Israel to end the blockade of Gaza and to allow delivery of humanitarian aid to its population. We call on Israel to release the ships and civilians they hold and to permit the delivery of humanitarian assistance to its final destination.

Finally, we re-emphasize the importance of the full implementation of Security Council resolution 1860 (2009).

Mr. Yang Tao (China) (*spoke in Chinese*): We welcome the presence of the Foreign Minister of Turkey, Mr. Davutoğlu. We also appreciate the presence of Her Excellency the Deputy Secretary-General. I also wish to thank Mr. Fernandez-Taranco for his briefing.

China is shocked by Israel's attack on the multinational convoy carrying humanitarian aid to Gaza, which resulted in heavy casualties. We condemn Israel's actions targeting humanitarian workers and civilians. We wish to express our condolences on the bereavement of Turkish citizens and those of other nationalities. We support a quick response by the Security Council and its taking necessary actions.

At present, the humanitarian situation remains grim in the occupied Palestinian territory, especially the Gaza Strip. China expresses its serious concern. We urge Israel to immediately and fully implement Council resolution 1860 (2009), to fully open border crossings and to lift the blockade on the Gaza Strip so as to allow the unimpeded flow of humanitarian aid and allow the local people to achieve early recovery and the restoration of their normal lives.

Mr. Araud (France) (*spoke in French*): I wish to welcome the presence of the Minister for Foreign Affairs of the Republic of Turkey. I also wish to thank the Deputy Secretary-General for her presence, and Mr. Fernandez-Taranco for his briefing.

We have expressed our emotions at the tragic consequences of the Israeli operation against the flotilla heading for Gaza. We have presented our condolences to the victims and their families. The human toll of this operation leads us to believe that there was disproportionate use of force and a level of violence that nothing justifies and that we condemn. That being the case, before drawing conclusions it is necessary to know the facts. Therefore, we would like to have full light shed through an in-depth investigation, which should be conducted immediately. That investigation should be independent, credible and in line with international standards.

Beyond this tragic event, this business reminds us of the need to re-establish humanitarian access to Gaza under resolution 1860 (2009), and we call for the lifting of the blockade, which is unsustainable and illegal.

France, like the European Union, requests that consular access be granted immediately under the Vienna Convention to the nationals of member States who at this moment are being held in Israel after the operation.

But beyond the Gaza event and the questions raised by the blockade of Gaza, this incident brings to mind the need to resume the peace process. In the absence of a credible peace process we are doomed to a repetition of incidents, which are becoming bloodier and bloodier. That is why France believes that a meeting of the Quartet at the ministerial level could enable both a lifting of the Gaza blockade and support for resumption of the peace talks.

Mr. Issoze-Ngondet (Gabon) (*spoke in French*): I wish to welcome the presence of the Minister for Foreign Affairs of Turkey as well as of the Deputy Secretary-General and to thank Assistant Secretary-General Fernandez-Taranco for his briefing.

My delegation learned with great regret of the attack by Israeli forces against a flotilla carrying humanitarian assistance to the Gaza Strip, which caused more than ten deaths and a number of people wounded, including peace activists travelling with the flotilla. Gabon regrets the many deaths and takes this opportunity to convey our profound condolences to the bereaved families. We reiterate our support to humanitarian organizations that are working in Gaza and in Palestine in general.

This new violence is unacceptable under international law and has already revived tensions that put at risk the indirect talks between Palestinians and Israelis that had started three weeks ago. Along with the rest of the international community, my delegation firmly condemns these attacks, which are a hindrance to the Israeli-Palestinian peace process. In that regard, we support the Secretary-General's call for an international investigation to clarify the circumstances of the raid.

This new situation reminds us once again of the urgency of lifting the Gaza blockade, in accordance with resolution 1860 (2009). Gabon calls on the parties to refrain from all provocation which could cause an escalation of violence in the region. We also call upon the parties to heed the international community and do everything possible to resume the peace talks. We support the draft presidential statement on this matter.

Mr. Barbalić (Bosnia and Herzegovina): At the outset, we take this opportunity to warmly welcome the Minister for Foreign Affairs of the Republic of Turkey. We also welcome Assistant Secretary-General Fernandez-Taranco, and thank him for his briefing today.

Bosnia and Herzegovina would like to join other members of the Security Council in condemning in the strongest possible terms the attack that was carried out by the Israel Defense Forces on a flotilla of ships carrying unarmed civilians and humanitarian aid for Palestinians in Gaza, leaving at least 10 of those unarmed civilians dead and numerous other injured. Bosnia and Herzegovina deeply regrets this tragic loss of life and the injuries sustained, and we wish to extend our deepest condolences and heartfelt sympathy to the families of the victims.

This attack on and killing of innocent humanitarians comes at a time when new efforts have been made in order to create the environment for negotiations. It can only aggravate the suffering of the Palestinian population and deepen the crisis. These were civilian ships carrying unarmed civilians and humanitarian aid intended for the 1.5 million Palestinians who are being held in Gaza under siege by Israel.

This Israeli attack on unarmed civilians aboard foreign vessels sailing in international waters constitutes a grave breach of international humanitarian law and a violation of the United Nations Convention on the Law of the Sea. Nothing can justify such a use of violence. Bosnia and Herzegovina calls for a full investigation into the attack to be carried out immediately, so that the perpetrators, as well as those with command responsibility for the attack, are swiftly brought to justice, in accordance with international humanitarian law.

This tragic event points to the urgent need to lift the ban on humanitarian aid intended for Palestinian civilians in Gaza. Bosnia and Herzegovina is deeply concerned about the hardship and tragedy of the Palestinian civilians in Gaza. Their living conditions are unsustainable. We therefore reiterate our call upon Israel to allow the immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza, in accordance with Security Council resolution 1860 (2009) and the 2005 Agreement on Movement and Access.

It is unacceptable for Israel to continue to act as a State that is above the law. If there is to be lasting peace in the Middle East, Israel must stop violating international law and start to act with restraint and in line with its international obligations.

The President (*spoke in Arabic*): I shall now make a statement in my capacity as representative of Lebanon.

I wish at the outset to once again welcome His Excellency Mr. Ahmet Davutoğlu, Minister for Foreign Affairs of Turkey. I also thank the Deputy Secretary-General for her presence here today. My thanks go also to Mr. Oscar Fernandez-Taranco for his briefing.

As all members know, the Israeli occupier's navy carried out a raid — an action that could be described as piracy — against a freedom flotilla transporting tons of humanitarian assistance to Gaza. This incident caused at least 15 deaths and a number of injuries.

First of all, on behalf of Lebanon, I convey our sincere condolences to the families of the martyrs who fell as a result of this barbarous Israeli attack and wish a speedy recovery to the injured. According to reports, the Israeli navy opened fire on the flotilla after white flags had been raised by those on board and before those forces had even boarded a single ship. There were some 600 unarmed civilians from 40 countries on the vessels in the flotilla; they included 1976 Nobel Peace Prize laureate Mairead Corrigan Maguire of Northern Ireland and a Holocaust survivor, Hedy Epstein, along with foreign parliamentarians and other eminent individuals, both officials and private citizens. The flotilla was carrying medical equipment, prefabricated houses, building materials and electric wheelchairs for the disabled.

In spite of the humanitarian nature of the flotilla, the occupier's navy deployed three missile-launching patrol boats in the attack. Lebanon considers that this aggression is one of a series of actions by Israel against

innocent civilians. It is a flagrant violation of the Charter of the United Nations, international law, international humanitarian law and the law of the sea.

First of all, Article 2, paragraph 4, of the Charter states that States must refrain from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations. I do not believe that anyone here considers that this attack is consistent with those purposes.

Secondly, article 87 (a) of the United Nations Convention on the Law of the Sea, which enshrines international practice, states that the high seas are open to all States without foreign intervention and must be used for peaceful purposes. But the news that we have heard confirms that this attack took place on the high seas. Thirdly, article 89 of the Convention states that no State has the legal right to submit any portion of the high seas to its own sovereignty.

Fourthly, article 30 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War states that occupying Powers have the responsibility to facilitate visits to protected persons by representatives of institutions intended to provide material assistance. In Gaza, Israel continues in an act of collective punishment to impose an illegal blockade by systematically closing checkpoints, preventing freedom of movement, including of sick people, and blocking access for indispensable humanitarian assistance including food, medicine, fuel and construction materials.

Israel acknowledges the blockade, as Daniel Ayalon, Deputy Minister for Foreign Affairs, said at a press conference earlier today. He described it as legal. But the law he had in mind is clearly totally different from the one that the United Nations recognizes and that we all respect: their law is the law of the jungle, which the United Nations has declared must be combated. The blockade imposed by Israel on families in Gaza, because the regime there is hostile to Israel, is nothing less than example of the collective punishment imposed by Israel for more than three years, which has intensified since the most recent Israeli war against Gaza in late 2008. Israel makes no distinction between civilians and military personnel.

Finally, Lebanon insists that there be accountability for this crime. We demand that all those arrested be freed immediately, that this abominable aggression against unarmed innocents be firmly condemned, that an investigation immediately take place to identify the perpetrators so that they may be punished and to undo the harm caused to the victims, and — perhaps first and foremost — that the blockade imposed on Gaza be lifted immediately.

Lebanon wishes to express its support for the draft presidential statement proposed by the delegation of Turkey.

I now resume my functions as President of the Security Council.

I give the floor to the Permanent Observer of Palestine.

Mr. Mansour (Palestine) (*spoke in Arabic*): At the outset, I should like to welcome His Excellency the Minister for Foreign Affairs of Turkey, who is with us at this important meeting. I had the honour to be with him a few days ago in Istanbul at the United Nations international meeting on Palestine. I should like also to thank Mr. Oscar Fernandez-Taranco for his briefing and to welcome Her Excellency Deputy Secretary-General Migiro, who is with us today.

On this sad day, Mr. Mahmoud Abbas condemned the crime committed in international waters and called it a massacre. For that reason the Palestinian Authority has declared a three-day state of mourning to mark the death of the civilian martyrs who fell victim to this crime. Regardless of their nationality, we consider them to be martyrs of Palestine, and we extend our condolences to their families and loved ones.

At the outset, I would like to express Palestine's deep gratitude for the Council's quick response in holding a special meeting of the Security Council at the request of Palestine, Lebanon and Turkey, in order to investigate Israel's blatant aggression against the ships heading for Gaza, which caused the martyrdom of a number of victims as well as to injuries and the detention of those on board. These people were activists for peace and freedom; their only slogan was for peace. They were carrying only food, medical equipment and other supplies for our civilians.

Israel has carried out its threats to suppress acts of solidarity with blockaded Gaza. This Israeli crime and all the threats that preceded it are not new to that occupying Power; nor are its blatant acts of aggression and violations directed at Palestinian civilians and those who support them. The Palestinian Authority has

strongly condemned these acts of Israeli piracy and views this flagrant aggression and this impunity as a direct consequence of the international community's silence and its inability to put an end to Israel's flagrant acts of aggression and its violations of international law, international humanitarian law and human rights law.

The international community must condemn this crime, which runs counter to international humanitarian and human rights norms. It must bring an end to the suffering of the Palestinian people and to the outrageous blockade of Gaza, implement justice and international law and hold Israel accountable for the war crime it committed today against the flotilla, as well as all its other war crimes against the Palestinian people. We call for an independent, impartial international investigation into this crime, in order to punish the perpetrators and to release and protect all those detained, immediately and unconditionally.

It is high time for the Security Council to take decisive measures against this serious escalation and other acts by Israel, a country that always acts as if it is outside the law and never held to account or deterred. What led to today's crime are the continuing Israeli blockade of Gaza, the starvation of its people and the deprivation of their right to live in freedom and safety and to have the food and shelter necessary for their survival. That is what motivated these hundreds of people from all over the world to side with us. One after the other, these flotillas will keep coming until this unethical blockade and the suffering of our people are ended.

This attack on unarmed civilians on foreign ships in international waters is more proof that Israel acts as if it were outside the law. The international community must therefore take urgent and appropriate steps in this regard. It is time for the Security Council to come to address the non-implementation of its many resolutions on Palestine and the situation in the Middle East. It is time for it to put an end to the unjust blockade imposed on 1.5 million Palestinians in the Gaza Strip and to bring resolution 1860 (2009) to bear. It is time for it to end Israel's lack of respect for its resolutions and for the will of the international community, and to take the necessary measures to deal with the settlement activities and other illegal acts that are being carried out in the occupied Palestinian territories, including occupied East Jerusalem.

It is the responsibility of the Security Council, by virtue of the United Nations Charter, to take the necessary measures to maintain international peace and security and to put an end to Israel's occupation of Palestinian territories, including East Jerusalem and the territories occupied since 1967. This situation has lasted for too long; it is time for the occupation to end so that the Palestinian people may exercise their inalienable rights and establish an independent Palestinian State with East Jerusalem as its capital.

The President (*spoke in Arabic*): I now give the floor to the representative of Israel.

Mr. Carmon (Israel): The Security Council is convened this afternoon following a serious event that took place early this morning local time, when a convoy of six ships attempted to break the maritime blockade off the coast of Gaza. Although portrayed in the media as a humanitarian mission delivering aid to Gaza, this flotilla was anything but a genuine humanitarian-only mission. If it had indeed been a humanitarian-only mission, the organizers would have accepted weeks ago, during the planning stages for this flotilla, the offer by the Israeli authorities to transfer the aid to Gaza through the port of Ashdod, via the existing overland crossings, in accordance with established procedures.

Many States and organizations, including the United Nations, are using those mechanisms on a daily basis, as we have heard before. Much material and merchandise enters Gaza daily through those mechanisms. And I would like to stress that there is no humanitarian crisis in Gaza. This Council heard, not long ago, from the Secretary-General's representative in the region, Mr. Serry, about positive developments on this aspect. The flotilla's organizers not only rejected this offer, but stated clearly that "this mission is not about delivering humanitarian supplies, but rather about breaking the Israeli siege," as Greta Berlin, a flotilla spokesperson, told the media last week.

What kind of humanitarian activists demand to bypass the United Nations, the Red Cross and other internationally recognized agencies? What kind of peace activists use knives and clubs and fire from weapons stolen from soldiers and other weapons to attack soldiers who board a ship in accordance with international law? What kind of humanitarian activists, some with known terrorist histories, embrace Hamas, a

terrorist organization that openly shuns a two-State solution and calls for Israel destruction, defying conditions set by the international community and the Quartet? The answer is clear. They are not peace activists; they are not messengers of good will. They cynically use the guise of humanitarian aid to send a message of hate and to implement violence. That is what we saw this morning.

Indeed, it is a sad day. It is a sad day because of the results of this unwelcome provocation. Let me remind the Council that a state of armed conflict exists between Israel and the Hamas terrorist regime controlling Gaza. Let me remind the Council that rockets and mortars were still being launched by Hamas and others towards southern Israel as recently as a brief hour ago. That is the Gaza situation; that is the situation of armed conflict that we have to endure on a daily basis. Let me remind the council that Gaza is occupied by terrorists that ousted the Palestinian Authority in a violent coup, and that arms are continuously being smuggled into the territory, including by sea. Peace and security are being threatened.

A maritime blockade is a legitimate and recognized measure under international law that may be implemented as part of an armed conflict at sea. A blockade may be imposed at sea, including in international waters. Let me stress that in this case, Israel provided in due time not only information about the existence of the blockade — as it is supposed to do — but also appropriate notification to the relevant Governments and to the organizers of the Gaza flotilla. The organizers turned down Israel's repeated offers to transfer the aid to Gaza because they had other plans.

Let me read out a quotation from a statement made prior to the events by one of the main organizer: "They [the Israelis] are going to have to stop us forcefully". So said the leader of the IHH, one of the primary organizers of the flotilla. Just prior to departure, he added: "We are going to resist, and resistance will win". Moreover, it should be noted that the organizing group, İnsani Yardim Vakfi (IHH) has a radical anti-Western orientation. Alongside its legitimate humanitarian activities, it supports radical Islamic networks such as Hamas, and at least in the past has even supported global jihad elements, such as Al-Qaida.

Being members of a so-called humanitarian mission, these champions of human rights also rejected in the initial planning stage an Israeli request to ask Hamas to allow the Red Cross to visit captured soldier Gilad Shalit.

When it became clear that the protest flotilla intended to violate the blockade despite the repeated warnings, Israeli naval personnel boarded the vessels and redirected them to Ashdod. Unfortunately, the soldiers boarding one of the ships were attacked most violently with life-threatening means. Live ammunition, knives, clubs and others types of weapons were used against soldiers of the Israel Defense Forces (IDF). The intentions were clear: to lynch the Israeli soldiers. This is definitively documented, and I am sure — I hope — that the media will publish it. This was intended to be a real lynching on the ships.

With out any doubt, the soldiers acted in self-defence. According to reports, the unfortunate event resulted in death and injuries to the protesters, as well as grave injury to our soldiers. The seriously injured were evacuated and are currently being treated at Israeli hospitals. The IDF, as part of its standard operating procedures, will conduct debriefing on the matter that will shed more light on the occurrences we witnessed today. The information will, of course, be shared accordingly.

Let me be very clear — this was not a peaceful protest. The IHH people on board one of the ships were not humanitarian aid activists. The IDF operation was not a military attack, as some have said. The operation began as a preventive measure to counter illegal breakage of the blockade. Any responsible Government would act accordingly in similar circumstances. Let me add that it is the responsibility of the organizers — the provocateurs — some of whom are linked to terrorist organizations.

The results of last night's events are tragic and unfortunate, and Israel deeply regrets any lose of innocent life. But it cannot compromise its security. Nobody would. The full picture of the circumstances that led to these consequences will continue, as I have stated before, to unfold over the next few days. However, it is important that, while assessing this particular event, not to lose sight of the bigger picture.

Many here in the Council have mentioned resolution 1860 (2009), and I would like to remind members of the Council that that resolution addresses

many aspects other than the humanitarian. Thus, we cannot ignore the threat to peace and security posed by Hamas, nor can we ignore the most basic necessity and obligation of Israel to safeguard its security by appropriate measures when threatened.

Let us not become diverted from the need to continue advancing on the political track. While the complicated situation in and around Gaza persists — and today's incident is only one example of it — we should continue to embrace, as has been mentioned, the positive developments of the past few weeks so that we and the Palestinian Authority can sit together for direct talks for the benefit of our people and the region as a whole.

The President (*spoke in Arabic*): There are no further speakers on my list. The Security Council has thus concluded this stage of its consideration of the item on its agenda. As agreed, the members of the Security Council will now resume their consultations on this matter.

The meeting rose at 3.20 p.m.

United Nations S/PV.6326

Security Council

Sixty-fifth year

Provisional

6326th meeting

Tuesday, 1 June 2010, 1.40 a.m.
New York

President:	Mr. Heller	(Mexico)
Members:	Austria	Mr. Mayr-Harting
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Yang Tao
	France	Mr. De Rivière
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Takasu
	Lebanon	Mr. Salam
	Nigeria	Mr. Onemola
	Russian Federation	Mr. Dolgov
	Turkey	Mr. Apakan
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Mr. Quarrey
	United States of America	Mr. Wolff

Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 31 May 2010 from the Permanent Representative of Turkey to the President of the Security Council (S/2010/266)

Letter dated 31 May 2010 from the Permanent Representative of Lebanon to the President of the Security Council (S/2010/267)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-38213 (E)

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The meeting was called to order at 1.40 a.m.

Expression of thanks to the retiring President

The President (*spoke in Spanish*): As this is the first meeting of the Security Council for the month of June, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Ambassador Nawaf Salam, Permanent Representative of Lebanon, for his service as President of the Security Council for the month of May 2010. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Salam and his delegation for the great diplomatic skill with which they conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

Letter dated 31 May 2010 from the Permanent Representative of Turkey to the President of the Security Council (S/2010/266)

Letter dated 31 May 2010 from the Permanent Representative of Lebanon to the President of the Security Council (S/2010/267)

The President (*spoke in Spanish*): Pursuant to the invitation extended pursuant to rule 37 of the Council's provisional rules of procedure at the 6325th meeting of the Security Council, I should like to acknowledge the presence of the representative of Israel, who is seated at the Council table.

Pursuant to the invitation extended in accordance with the provisional rules of procedure and with previous practice at the 6325th meeting, I should like to acknowledge the presence of the Permanent Observer of Palestine to the United Nations, who is seated at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with rule 2 of its provisional rules of procedure in response to a letter dated 31 May 2010 from the Permanent Representative of Turkey to the United Nations and a letter of the same date from the Permanent Representative of Lebanon to the United Nations, both of which are addressed to the President of the Security Council and will be issued as documents S/2010/266 and S/2010/267, respectively.

Following consultations among the members of the Security Council, I have been authorized to make the following statement on behalf of the Council, which I shall read out in English given the lateness of the hour and the fact that the text has not yet been translated into all six official languages:

(*spoke in English*)

"The Security Council deeply regrets the loss of life and injuries resulting from the use of force during the Israeli military operation in international waters against the convoy sailing to Gaza. The Council, in this context, condemns those acts, which resulted in the loss of at least 10 civilians and many wounded, and expresses its condolences to their families.

"The Security Council requests the immediate release of the ships as well as the civilians held by Israel. The Council urges Israel to permit full consular access, to allow the countries concerned to retrieve their deceased and wounded immediately, and to ensure the delivery of humanitarian assistance from the convoy to its destination.

"The Security Council takes note of the statement of the United Nations Secretary-General on the need to have a full investigation into the matter and it calls for a prompt, impartial, credible and transparent investigation conforming to international standards.

"The Security Council stresses that the situation in Gaza is not sustainable. The Council re-emphasizes the importance of the full implementation of resolutions 1850 (2008) and 1860 (2009). In that context, it reiterates its grave concern at the humanitarian situation in Gaza and stresses the need for sustained and regular flows of goods and people to Gaza, as well as unimpeded provision and distribution of humanitarian assistance throughout Gaza.

"The Security Council underscores that the only viable solution to the Israeli-Palestinian conflict is an agreement negotiated between the parties, and re-emphasizes that only a two-State

solution, with an independent and viable Palestinian State living side by side in peace and security with Israel and its other neighbours, could bring peace to the region.

"The Security Council expresses support for the proximity talks and voices concern that this incident took place while the proximity talks are under way, and urges the parties to act with restraint, avoiding any unilateral and provocative actions, and all international partners to promote an atmosphere of cooperation between the parties and throughout the region."

(spoke in Spanish)

This statement will be issued as a document of the Security Council under the symbol S/PRST/2010/9.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.50 a.m.